

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRIAN WRIGHT,

Plaintiff,

v.

DETECTIVE AUGIAR, et al.,

Defendants.

2:14-cv-01731-APG-NJK

ORDER

Pending before the Court is Plaintiff Brian Wright's renewed application to proceed in this action *in forma pauperis*. Docket No. 3. Previously, Plaintiff filed an incomplete application. On October 27, 2014, the Court ordered that Plaintiff had until November 26, 2014, to file a renewed application accompanied by a signed financial certificate and a certified statement from his inmate trust account for the previous six months. Docket No. 2. Plaintiff has now complied. *See* Docket No. 3.

Plaintiff must pay an initial partial filing fee of the greater of twenty percent of the average monthly deposits or twenty percent of the average monthly balance of his account for the six months immediately preceding the commencement of this action. *See* 28 U.S.C. § 1915(b)(1). Plaintiff's average monthly balance is \$6.52, and his average monthly deposit is \$29.75. Therefore, the Court finds that Plaintiff must pay an initial partial filing fee of \$5.95. Once Plaintiff pays his initial partial filing fee, the Court will screen his Complaint pursuant to 28 U.S.C. § 1915A(a).

Accordingly,

IT IS ORDERED:

1. Plaintiff's Application to Proceed *in Forma Pauperis* (Docket No. 3) without having to prepay the full filing fee is **GRANTED**. However, Plaintiff shall be required to pay an initial installment fee in the amount of \$5.95 toward the full filing fee of \$400. Plaintiff

1 shall have the designated fee sent to the Clerk of the Court no later than **February 27,**
2 **2015.** Failure to do so may result in dismissal of this action. Furthermore, even if this
3 action is dismissed, the full filing fee must still be paid pursuant to 28 U.S.C.
4 § 1915(b)(2). If Plaintiff pays his initial partial filing fee no later than February 27, 2015,
5 the Court will screen his Complaint pursuant to 28 U.S.C. § 1915A(a).

6 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of
7 prepayment of any additional fees or costs or the giving of security therefor. This Order
8 granting *in forma pauperis* status shall not extend to the issuance of subpoenas at
9 government expense.

10 3. The Clerk of the Court shall provide Plaintiff with two copies of this Order. Plaintiff is
11 ordered to make the necessary arrangements to have one copy of this Order attached to
12 the check in the amount of the designated fee.

13 4. Pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Southern Detention Center shall forward
14 to the Clerk of the United States District Court, District of Nevada, twenty percent of the
15 preceding month's deposits to Plaintiff's inmate trust account (in the months that the
16 account exceeds \$10.00) until the full \$400 filing fee has been paid for this action. The
17 Clerk of the Court shall send a copy of this Order to the Finance Division of the Clerk's
18 Office. The Clerk shall also send a copy of this Order to the attention of the inmate
19 accounts department at Nevada Southern Detention Center, 2190 East Mesquite Avenue,
20 Pahrump, Nevada 89060.

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22 DATED: This 26th day of January, 2015.

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26 NANCY J. KOPPE
27 United States Magistrate Judge
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